 <b>OFFICE OF UTILITIES REGULATION</b> <i>Regulating Utilities for the Benefit of All</i>			
Form No.: STTO/DIO/003	Form Name: <b>Application Requirements and Procedures for Water and Sewerage Utility Provider Licences</b>	Revision No.:4	Page <b>1</b> of <b>4</b>
Original Issue Date: 2009-Jan-21	Approval By: Top Management	Revision Date: 2025-Dec-16	
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## GENERAL APPLICATION REQUIREMENTS AND PROCEDURES

### Governing Applications for Water Supply & Distribution and Sewerage Service Provider Licences

**All Applicants for Water Supply & Distribution and Sewerage Service Provider Licences will be required to provide information including but not limited to:**

1. A letter of intent outlining purpose, nature and rationale for the application should be submitted to the Office of Utilities Regulation (OUR).
2. A completed application form along with supporting documentation which should be emailed, hand delivered to the OUR or submitted by registered post to:

Office of Utilities Regulation  
3<sup>rd</sup> Floor, PCJ Resource Centre  
36 Trafalgar Road  
Kingston 10, Jamaica

Where supporting documents are submitted as PDF documents, they should be searchable.

### 3. Company Data

- i Submit Certified Copies of relevant documents of incorporation for relevant jurisdiction, viz:

▶ *For incorporation of Jamaican companies which took effect prior to February 2004:*

Certificate of Incorporation

- Memorandum of Association
- Articles of Association

▶ *For incorporation of Jamaican companies which took effect subsequent to February 2004:*


- Certification of Incorporation
- Articles of Incorporation

- ii Submit a copy of a valid Tax Compliance Certificate or Letter ("TCC") issued by the relevant Jamaican taxing authority. (N.B. The application will be processed pending submission of the TCC in the event that it is not available at the time of

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submission of the application form. In any case, a valid TCC must be submitted prior to grant of licence.)

iii Other particulars of applicant, including –

- a. address of applicant's registered office,
- b. name of principal of the applicant (must be a Director of the Company) and contact details including telephone and e-mail address,
- c. names, addresses and dates of appointment of the directors, the chief executive officer and the company secretary.

iv A detailed list of the addresses and country of domicile and shareholdings of all shareholders holding 10% or more of any class of shares in the applicant, and in all companies in the line of ownership of the applicant, up to the ultimate beneficial owner. The details of the directors and shareholders of each of these companies as required in the Licence Verification Form should also be provided. Please refer to Part I -Section 5 of the Revised Due Diligence Policy, 2019/GEN/017/POL.001, regarding requirements for overseas applicants and or overseas connected persons.

v Name and address of any person or organization acting on behalf of the applicant (contact in Jamaica). Contact information including telephone number and email addresses.

vi Name and contact information of the Company's auditors.

#### 4. Financial Information


##### New licence applications

- A. If the applicant has been incorporated for longer than eighteen months at the time of application, attach the audited financial statement for period ending not later than one year prior to the date of this application.
- B. If the applicant has been incorporated for less than eighteen months at the time of application, attach
  - (i) An audited opening balance sheet or provide evidence of financial capability to carry on the proposed licensed business e.g. a letter identifying the source of funds/ capital commitments, debt/equity ratio etc.

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(ii) A Business Plan – the plan should include but is not limited to, information on the applicant's operations, goals, industry status, marketing objectives, and financial projections.

C. Where financing is being obtained from a third party, the third party must provide a letter confirming their willingness to provide funding to the Applicant and evidence of their financial capability to fund on the proposed licensed business e.g. a letter from a financial institution identifying the third party's source of funds/ capital commitments, debt/equity ratio etc.

#### Renewal licence applications

Applicants are required to submit the audited financial statements for the operations of the licensed business for the period ending not later than one year prior to the date of this application.

These accounts should disaggregate the activities of the Licensed Business from those of any other businesses operated by the Applicant.

Please note that where audited financial statements become dated during the application review process, the Applicant will be requested to submit updated audited financial statements.


#### **Applicants should also note the following:**

1. An acknowledgement via email along with a Checklist will be given for each application submitted to the OUR.
2. All applications and supporting material must be submitted in English.
3. The Office reserves the right to request additional copies of applications and supporting documentation.
4. Additional information may be requested by the OUR or submitted by the applicant in respect of any application at any time before the OUR makes its recommendation to the Minister.
5. Each applicant must pay a non-refundable application fee of **JAS\$65,000** or as indicated by the OUR on application for the licence. A separate fee is payable in respect of each application. This payment shall be made by certified cheque, bank draft or direct

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deposit into the OUR's bank account. The information regarding the account number is available on the OUR's website at [www.our.org.jm](http://www.our.org.jm). All cheques must be made payable to the Office of Utilities Regulation.

6. Applicants are required to notify the Office of any change to the information submitted with the application.
7. Applicants are required to meet all costs arising from:
  - (a) the preparation and submission of applications;
  - (b) providing any additional information requested; and
  - (c) the processing of each application including responding to public comments and attending at and making submissions to the Office concerning these applications.

The Office, the Minister with responsibility for water and the Government of Jamaica will not accept responsibility or liability for such costs, regardless of whether or not a licence is granted.

8. All applications and supporting documentation become the property of the OUR upon submission. The OUR will make public the names of corporate entities which have submitted applications as well as such information about the contents of the applications as it deems appropriate. Members of the public and other interested parties will have the right to inspect all applications and supporting documentation and to submit comments to the OUR.
9. All supporting material submitted with individual applications which may contain sensitive/confidential information concerning business or commercial or financial affairs should be submitted along with the application in a sealed envelope marked **"Confidential Information"**. Where the OUR proposes to disclose any such information, it will give the applicant reasonable notice and an opportunity to make representations to the OUR before the Office makes a final decision on disclosure of such information.
10. The OUR reserves the right to conduct discussions with applicants if necessary. Applicants should be prepared to send a representative(s) to the offices of the OUR to discuss their applications and supporting documentation, if requested by the OUR.

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